

4. On June 14, 2017, the state court dismissed the foreclosure action with prejudice, finding that “all amounts due under the subject loan have been paid off in full.”

5. Upon dismissal of the foreclosure action with prejudice, the state court’s judgment of foreclosure became a final and appealable order.

6. As a result of the final orders entered in the state court foreclosure action, Plaintiff’s claims are barred by the doctrine of *res judicata*

WHEREFORE, for these reasons and the additional reasons set forth in the accompanying Memorandum of Law in Support, Defendants, by their counsel, hereby move for judgment in their favor.

Dated: August 24, 2017

Respectfully submitted,

By: /s/ Tyler D. Alfermann

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CERTIFICATE OF SERVICE

I, Tyler D. Alfermann, an attorney, hereby certify that on August 24, 2017, I caused a true and correct copy of the foregoing **DEFENDANTS' MOTION FOR JUDGMENT BASED ON *RES JUDICATA*** to be filed and served electronically via the court's CM/ECF system.

/s/ Tyler D. Alfermann _____

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